

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
SW/Corner York & Ridgely Roads * ZONING COMMISSIONER
(1740 York Road)
8th Election District * OF BALTIMORE COUNTY
4th Councilmanic District

Cloverland Farms Dairy, Inc. * Case No. 97-102-X
and Washington/Baltimore Cellular
Limited Partnership - Petitioners*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Exception for that property known as 1740 York Road, located in the vicinity of Ridgely Road in Timonium. The Petition was filed by the owner of the property, Cloverland Farms Dairy, Inc., by John Kemp, Vice President, and the Contract Lessee, Washington/Baltimore Cellular Limited Partnership, d/b/a Cellular One, by Irene Vogel, through their attorney, Paul A. Tiburzi, Esquire. The Petitioners seek approval of an automotive service garage for the installation of mobile telephones as part of a Cellular One Customer Service Branch store on the subject site, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.) The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Allan Webb and Sharon Sego with Cellular One, Robert Morelock, Professional Engineer with Daft-McCune-Walker, Inc. who prepared the site plan for this project, and Paul A. Tiburzi, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is located at the southwest corner of the intersection of York and Ridgely

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

Roads in Timonium. The property consists of 0.295 acres in area, zoned B.L.-C.C.C., and is improved with a one-story building located towards the rear of the site. The balance of the site is unimproved, but for a macadam parking area. At the present time, the building is vacant; however, most recently the building was used as a bank and prior to that use, a gasoline service station operated on the site. The Petitioners have entered into a lease agreement for the use of the site as a customer service branch store for Cellular One. The existing building will be utilized; however, will be renovated to accommodate the proposed use. A schematic representation of the building after renovation was submitted as Petitioner's Exhibit 2, and a floor plan thereof submitted as Petitioner's Exhibit 3. Essentially, the building will be used as a headquarters to serve customers of the company and also to sell equipment and related accessories. A one-bay service garage area has been designated for the purpose of installing mobile phones. Although certainly not a service garage in the traditional sense, the equipping of automobiles, even with telephones, falls within the broad definition of a service garage, as set forth in Section 101 of the B.C.Z.R. Thus, the requested special exception is necessary.

Based upon the testimony and evidence presented, all of which was uncontradicted, I am persuaded that the requested special exception should be granted. There was no evidence that the proposed use of the property would be detrimental to the health, safety or general welfare of the surrounding locale. To the contrary, as expressed in the comments submitted by the Office of Planning, the proposed use results in a revitalization of a vacant commercial property. Thus, it is clear that the proposed special exception should be granted.

ORDER RECEIVED FOR FILING
Date 10/15/86
By [Signature]

It should also be noted that the Office of Planning has requested several conditions be attached to the granting of any relief. Specifically, the Planning Office requests that a sign detail for the freestanding sign be submitted. In this regard, the Petitioners indicated that the same sign which was previously utilized by the bank will be utilized by the proposed business. An amended site plan was submitted subsequent to the hearing which included a detailed sign plan. In that the dimension of the sign and its location will not be altered pursuant to the amended plan, I will not impose any further restriction in this regard. Second, both the Office of Planning and the Development Plans Review Division of the Department of Permits and Development Management requested that a landscape plan be submitted for review and approval. The Petitioner testified that an area of landscaping exists on the site and that same would be preserved. Therefore, a landscape plan, consistent with what is shown on the site plan, shall be submitted for review and approval by the Office of Planning.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth above, the special exception shall be granted.

THEREFORE, IT IS ORDERED by the zoning Commissioner for Baltimore County this 15th day of October, 1996 that the Petition for Special Exception to approve an automotive service garage for the installation of mobile telephones as part of a Cellular One Customer Service Branch store on the subject site, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such

ORDER RECEIVED FOR FILING
Date 10/15/96
By [Signature]

RECORDED

time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) The Petitioners shall submit a landscape plan, consistent with that shown on the site plan, for review and approval by the County's Landscape Architect.

3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

DATE
16/13/96
BY
[Signature]

MICROFILMED



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

October 15, 1996

Paul A. Tiburzi, Esquire
Piper & Marbury
36 South Charles Street
Baltimore, Maryland 21201

RE: PETITION FOR SPECIAL EXCEPTION
SW/Corner York & Ridgely Roads
(1740 York Road)
8th Election District - 4th Councilmanic District
Cloverland Farms Dairy, Inc. and Washington/Baltimore Cellular
Limited Partnership, d/b/a Cellular One - Petitioners
Case No. 97-102-X

Dear Mr. Tiburzi:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. John Kemp, Vice President, Cloverland Farms Dairy, Inc.
2200 Monroe Street, Baltimore, Md. 21217

Ms. Irene Vogel, Washington/Baltimore Cellular L.P., Cellular One
7855 Walker Drive, Greenbelt, Md. 20770

Mr. Robert E. Morelock, Daft-McCune-Walker, Inc.
200 E. Pennsylvania Avenue, Towson, Md. 21286

People's Counsel; Case File

MICROFILMED



Petition for Special Exception to the Zoning Commissioner of Baltimore County

for the property located at 1740 York Road, Timonium, MD

97-102-X

which is presently zoned BL-CCC

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

an automotive Service Garage use for installation of mobile telephones as a part of a Cellular One Customer Service Branch store pursuant to § 230.13

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Washington/Baltimore Cellular Limited Partnership
d/b/a Cellular One

(Type or Print Name)

Signature Irene Vogel

7855 Walker Drive

Address

Greenbelt, MD 20770

City

State

Zipcode

Attorney for Petitioner:

Paul A. Tiburzi

Piper and Marbury, L.L.P.

(Type or Print Name)

Signature [Signature]

36 South Charles Street

(410) 576-1789

Address

Phone No.

Baltimore, MD 21201

City

State

Zipcode

Legal Owner(s):

Cloverland Farms Dairy, Inc.
c/o Enfield Realty, Inc.

(Type or Print Name)

Signature John M. Kemp V.P.

By: John Kemp

(Type or Print Name)

Signature

2200 Monroe Street

(410) 669-2222

Address

Phone No.

Baltimore, MD 21217

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser, or representative to be contacted.

Robert E. Morelock, DMW, Inc.

Name

200 East Penna. Ave., Towson, MD 21286

(410) 296-3333

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates 9-24, 10-7, 14 THRU 22-96

Next Two Months

ALL

OTHER

REVIEWED BY: SM

DATE

9-3-96

MICROFILM

CO 3

PAUL A. TIBURZI

PIPER & MARBURY
L.L.P.

ORDER RECEIVED FOR FILING
Date 10/15/96
By [Signature]

BALTIMORE
PHILADELPHIA

WASHINGTON
LONDON

NEW YORK
EASTON

ing Administration

velopment Management

Description **97-102-X**
to Accompany Petition for Special Exception

0.295 Acre Parcel

1740 York Road

Eighth Election District, Baltimore County, Maryland



Daft McCune Walker, Inc.

200 East Pennsylvania Avenue

Towson, Maryland 21286

410 296 3333

Fax 296 4705

A Team of Land Planners,

Landscape Architects,

Engineers, Surveyors &

Environmental Professionals

Beginning for the same on the west side of York Road (80 feet wide) at the end of the second of the two following courses and distances measured from the point formed by the intersection of the centerline of Ridgely Road, 70 feet wide, with the centerline of survey of York Road (1) Southeasterly along the centerline of the traveled way for York Road 78 feet, more or less, thence at a right angle to York Road (2) Southwesterly 33 feet, more or less, to the point of the beginning, thence leaving said point of beginning and running and binding on said west side of York Road (1) South 20 degrees 14 minutes 52 seconds East 103.89 feet, thence leaving the west side of York Road and running the two following courses and distances, viz: (2) South 69 degrees 45 minutes 03 seconds West 100.00 feet, thence (3) North 20 degrees 14 minutes 57 seconds West 130.75 feet to a point on the south side of Ridgely Road, thence running and binding on the south side of Ridgely Road the two following courses and distances, viz: (4) North 64 degrees 28 minutes 03 seconds East 61.47 feet, and thence (5) South 70 degrees 16 minutes 33 seconds East 50.62 feet to the point of the beginning; containing 0.295 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES
ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE

August 30, 1996

Project No. 96071 (L96071)

MICROFILMED

103

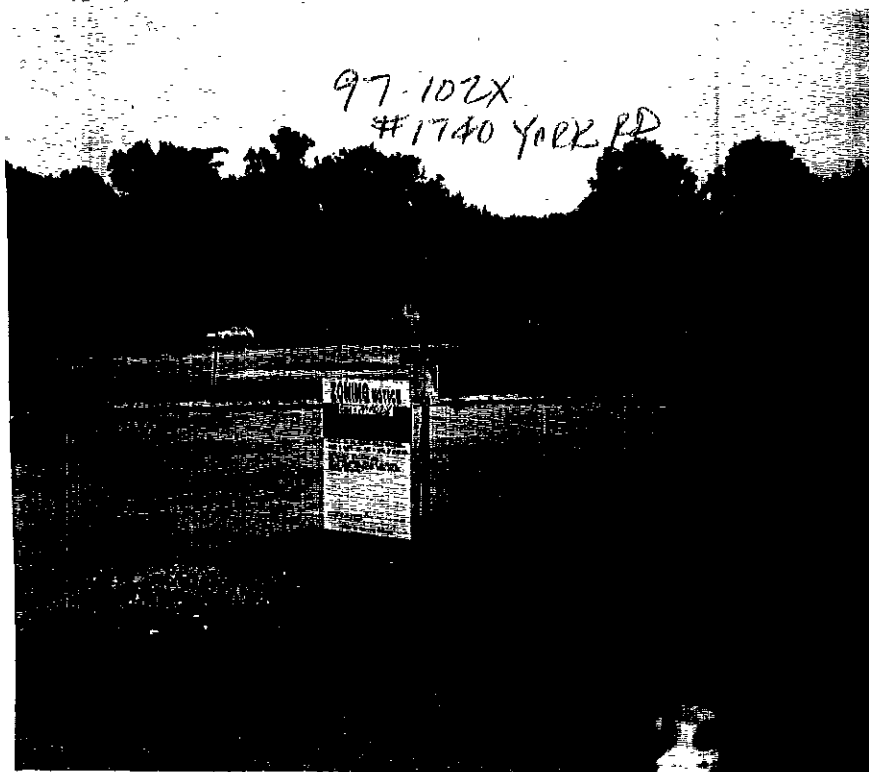


97-102

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District... 8th Date of Posting... 9/23/96
Posted for: SPECIAL EXEPT. CASE # 97-102X
Petitioner: CLOVERLAND FARMS DAIRY, INC.
Location of property: #1740 YORK RD.
Location of Signs: #1740 YORK RD.
Remarks: _____
Posted by: Patrick M O'Keefe SR. Date of return: _____
Number of Signs: 1

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NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118 Old Courthouse, 400 Washington Avenue Towson, Maryland 21204 as follows:

Case: #97-102-X

(Item 103)

1740 York Road

SWC York and Ridgely Road

8th Election District

4th Councilmanic

Legal Owner(s):

Cloverland Farms Dairy, Inc.

Special Exception: for an automotive service garage use for installation of mobile telephones.

Hearing: Wednesday, October 9, 1996 at 9:00 a.m. in Rm. 106, County Office Building.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please Call 887-3381.

9/199 Sept. 19

C83689

CERTIFICATE OF PUBLICATION

TOWSON, MD., 9-19, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9-19, 1996.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

MICROFILMED

TO: PUTUXENT PUBLISHING COMPANY
September 19, 1996 Issue - Jeffersonian

Please forward billing to:

Robert E. Morelock
DMW, Inc.
200 E. Pennsylvania Avenue
Towson, MD 21286
296-3333

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-102-X (Item 103)
1740 York Road
SWC York and Ridgely Road
8th Election District - 4th Councilmanic
Legal Owner(s): Cloverland Farms Dairy, Inc.

Special Exception for an automotive service garage use for installation of mobile telephones.

HEARING: WEDNESDAY, OCTOBER 9, 1996 at 9:00 a.m in Room 106 County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 2, 1996

Paul A. Tiburzi, Esquire
Piper and Marbury, L.L.P.
36 South Charles Street
Baltimore, MD 21201

RE: Item No.: 103
Case No.: 97-102-X
Petitioner: Cloverland Farms Dairy

Dear Mr. Tiburzi:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 3, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

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BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: Sept. 19, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for September 16, 1996
Item No. 103

The Development Plans Review Division has reviewed the subject zoning item. If the existing landscaping is retained, a Landscape Plan will not be required.

RWB:HJO:jrb

cc: File

ZONE26E

RECEIVED

10/9
LES

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: September 25, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: 1740 York Road

INFORMATION:

Item Number: 103

Petitioner: Cloverland Farms Dairy, Inc.

Property Size: _____

Zoning: BL-CCC

Requested Action: _____

Hearing Date: _____ / _____ / _____

SUMMARY OF RECOMMENDATIONS:

The subject request, if granted, would result in the revitalization of a vacant commercial property.

The site is within the area of the Community Conservation Plan for Lutherville, adopted by the Baltimore County Council on February 20, 1996. The plan sets forth guidelines for enhancing the appearance of non-residential properties. The revitalization is in keeping with the plan provided the following comments are addressed.

1. A landscape plan should be submitted to the Office of Planning for review prior to approval by the County's Landscape Architect. The plan should incorporate street trees, as well as landscaping to enhance the building, driveway entrances, parking area and dumpster.
2. A sign detail for the free standing sign should be provided on the plan.

Prepared by: _____

Division Chief: _____

AFK:JL:lw

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BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: Sep 9, 91

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Sep 9, 91

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

102

99

100

96

97

103

94

RBS:sp

BRUCE2/DEPRM/TXTSBP

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Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

9-10-96

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 103 (JRA)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto MD/45 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,

for Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS

MICROFILMED

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Roslyn Eubanks
 PDM

DATE: September 19, 1996

FROM: Jeffrey Long
 Planning Office

J-L

SUBJECT: ZAC

Please be advised that more time is needed to review the following petitions:

Item Nos. 103 & 104

Contact me on 887-3495 if you have any questions.

c: Gary Kerns
 JL

ZAC1/PZONE/TXTJWL

SEP 20 1996

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Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 09/19/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: Cloverland Farms DAiry, INC.

Location: SWC York and Ridgely RD. (1740 York RD.)

Item No.: 103

Zoning Agenda: Special Exception

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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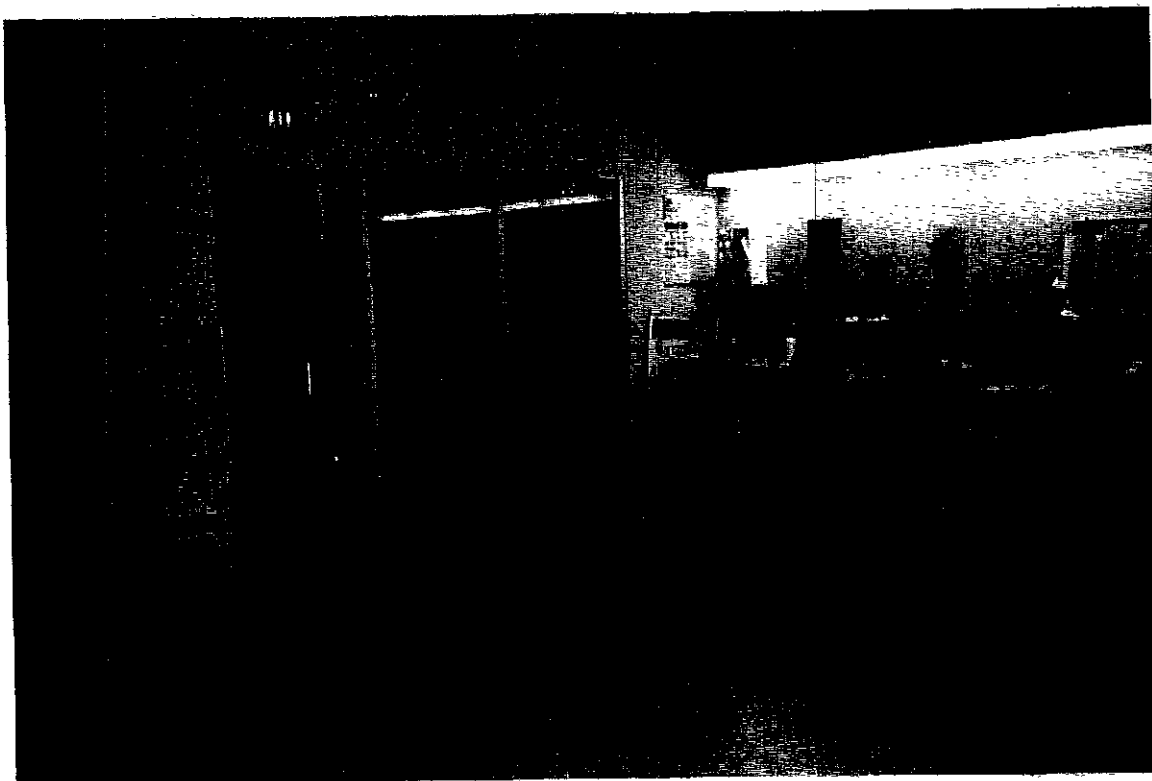
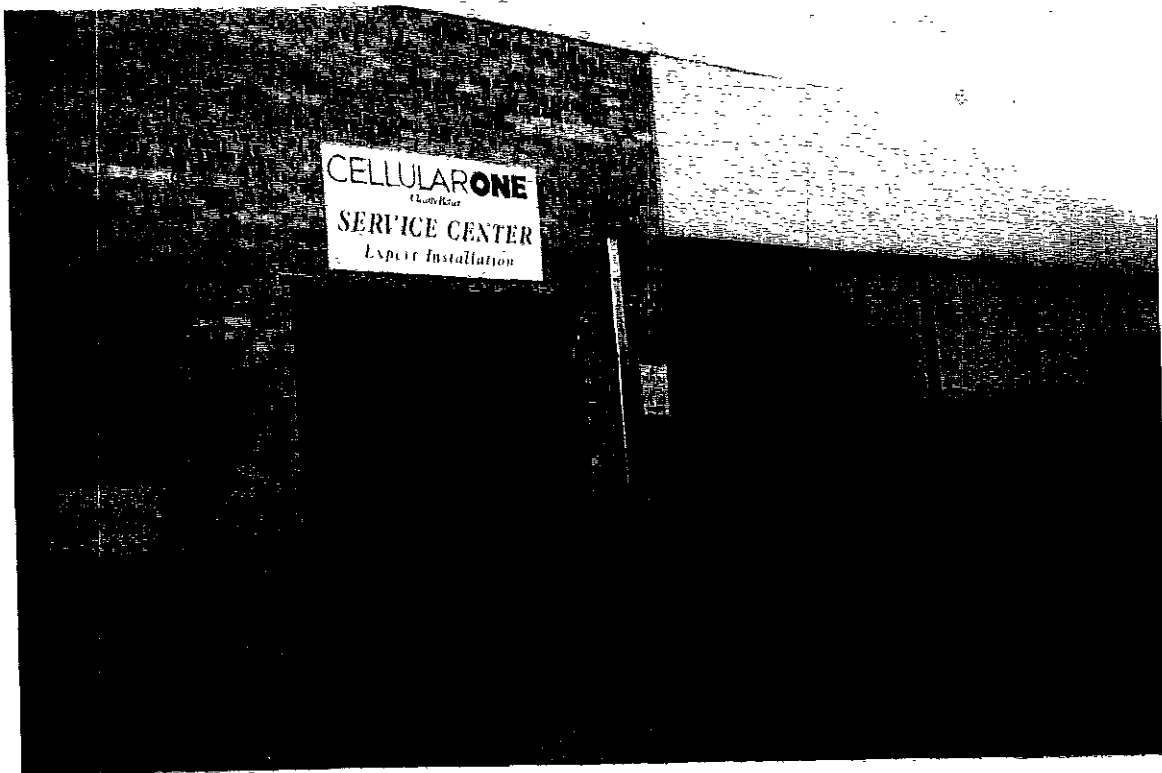
Petitioner's
Exhibits

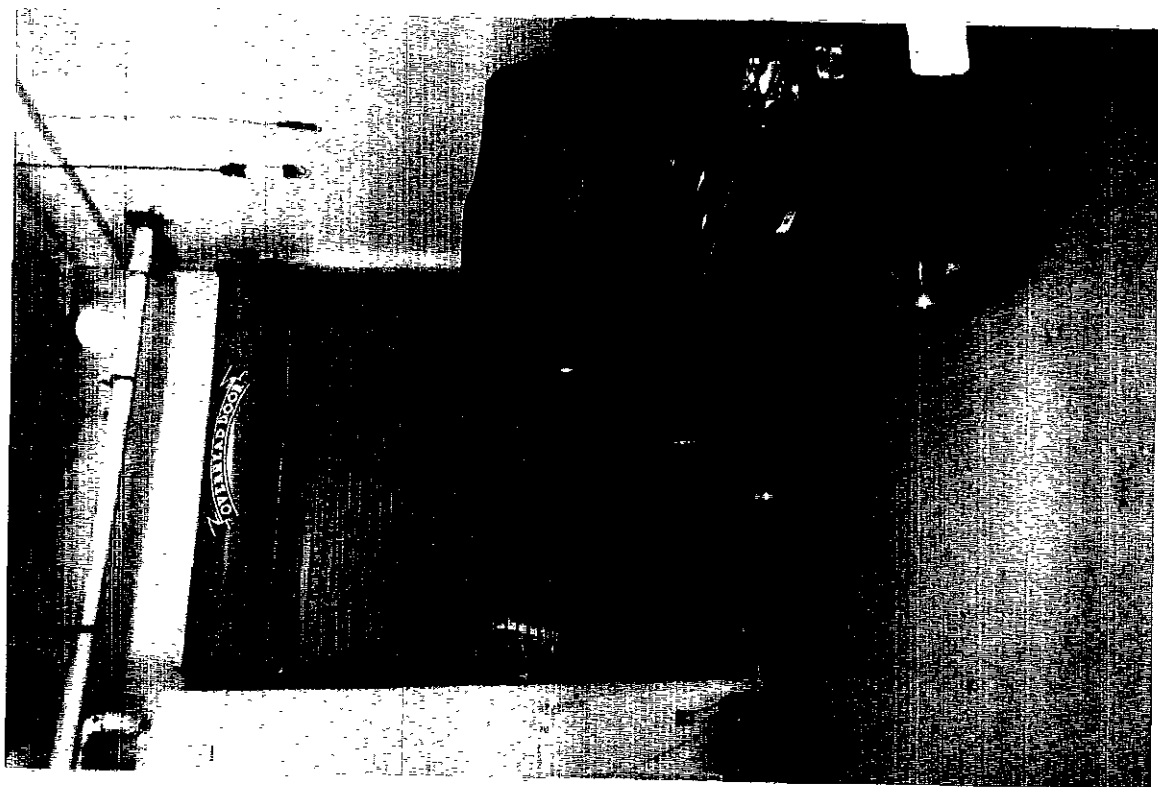
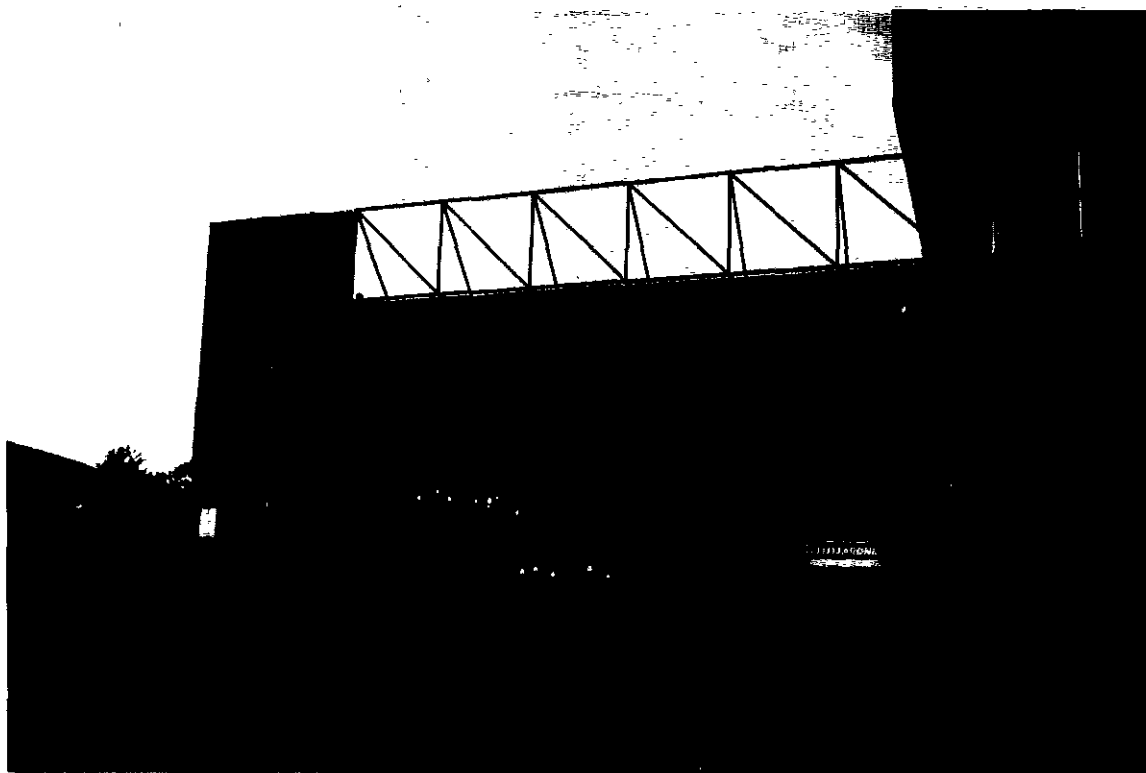
YA-40

photographs

97-102-X

MICROFILMED







Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 11, 1996

NOTICE OF HEARING

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or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-102-X (Item 103)
1740 York Road
SWC York and Ridgely Road
8th Election District - 4th Councilmanic
Legal Owner(s): Cloverland Farms Dairy, Inc.

Special Exception for an automotive service garage use for installation of mobile telephones.

HEARING: WEDNESDAY, OCTOBER 9, 1996 at 9:00 a.m in Room 106 County Office Building.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Cloverland Farms Dairy, Inc.
Washington/Baltimore Cellular Ltd. Part.
Paul A. Tiburzi, Esq.
Robert E. Morelock

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



RE: PETITION FOR SPECIAL EXCEPTION
1740 York Road, SWC York and Ridgely Rds
8th Election District, 4th Councilmanic

Legal Owner: Cloverland Farms Dairy, Inc.
Contract Purchaser/Lessee: Cellular One
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 97-102-X

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of October, 1996, a copy of the foregoing Entry of Appearance was mailed to Paul A. Tiburzi, Esq., Piper and Marbury, 36 S. Charles Street, Baltimore, MD 21201, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

MICROFILMED

Retirees

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

PAUL TRIBURZI, AHy for Cellular One

36 So. Clowless St. Balto. Md. 21201

ROBERT MORELOCK

DMW, INC.
200 E. PENNA. AVE., TOWSON 21286

Alan Webb - Cellular One

2622 Lomb Baltimore Dr. Woodlawn Md 21244

Sharon Sego

7855 Walker Dr. Greenbelt MD 20770



MICROFILMED



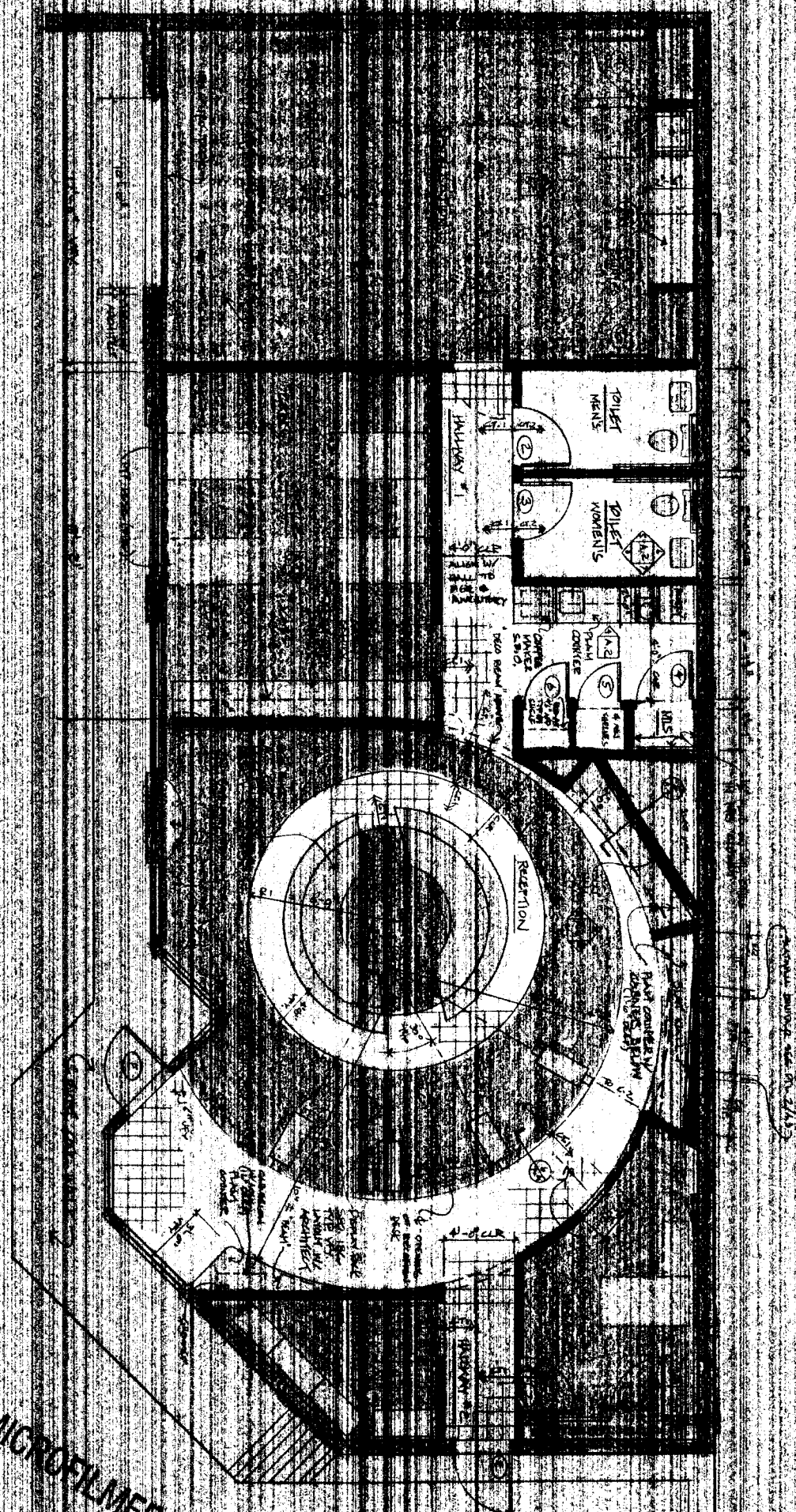
MICROFILMED

CECILIA KOKS TOWNSHIP - 100% PLAN
10-1-96
1/8 * 1-0

0-1-31

10-1-90

MICROFILMED





SECTION - ELEVATION - EAST ELEVATION

UNCOMPLETED

CELLULAR ONE: TOWSON, MARYLAND - EAST ELEVATION

10.7.01

10.7.01

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
SW/Corner York & Ridgely Roads * ZONING COMMISSIONER
(1740 York Road)
8th Election District * OF BALTIMORE COUNTY
4th Councilmanic District
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Limited Partnership - Petitioners*

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Testimony and evidence offered revealed that the subject property is located at the southwest corner of the intersection of York and Ridgely

Roads in Timonium. The property consists of 0.295 acres in area, zoned B.L.-C.C.C., and is improved with a one-story building located towards the rear of the site. The balance of the site is unimproved, but for a macadam parking area. At the present time, the building is vacant; however, most recently the building was used as a bank and prior to that use, a gasoline service station operated on the site. The Petitioners have entered into a lease agreement for the use of the site as a customer service branch store for Cellular One. The existing building will be utilized; however, will be renovated to accommodate the proposed use. A schematic representation of the building after renovation was submitted as Petitioner's Exhibit 2, and a floor plan thereof submitted as Petitioner's Exhibit 3. Essentially, the building will be used as a headquarters to serve customers of the company and also to sell equipment and related accessories. A one-bay service garage area has been designated for the purpose of installing mobile phones. Although certainly not a service garage in the traditional sense, the equipping of automobiles, even with telephones, falls within the broad definition of a service garage, as set forth in Section 101 of the B.C.Z.R. Thus, the requested special exception is necessary.

Based upon the testimony and evidence presented, all of which was uncontradicted, I am persuaded that the requested special exception should be granted. There was no evidence that the proposed use of the property would be detrimental to the health, safety or general welfare of the surrounding locale. To the contrary, as expressed in the comments submitted by the Office of Planning, the proposed use results in a revitalization of a vacant commercial property. Thus, it is clear that the proposed special exception should be granted.

- 2 -

It should also be noted that the Office of Planning has requested several conditions be attached to the granting of any relief. Specifically, the Planning Office requests that a sign detail for the freestanding sign be submitted. In this regard, the Petitioners indicated that the same sign which was previously utilized by the bank will be utilized by the proposed business. An amended site plan was submitted subsequent to the hearing which included a detailed sign plan. In that the dimension of the sign and its location will not be altered pursuant to the amended plan, I will not impose any further restriction in this regard. Second, both the Office of Planning and the Development Plans Review Division of the Department of Permits and Development Management requested that a landscape plan be submitted for review and approval. The Petitioner testified that an area of landscaping exists on the site and that same would be preserved. Therefore, a landscape plan, consistent with what is shown on the site plan, shall be submitted for review and approval by the Office of Planning.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth above, the special exception shall be granted.

THEREFORE, IT IS ORDERED by the zoning Commissioner for Baltimore County this 15th day of October, 1996 that the Petition for Special Exception to approve an automotive service garage for the installation of mobile telephones as part of a Cellular One Customer Service Branch store on the subject site, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such

- 3 -

time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) The Petitioners shall submit a landscape plan, consistent with that shown on the site plan, for review and approval by the County's Landscape Architect.

3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

LES:bjs

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 8th Date of Posting: 9/23/96
Posted for: SPECIAL EXEMPT. CASE # 97-102X
Petitioner: CLOVERLAND FARMS DAIRY, INC.
Location of property: #1740 YORK RD.
Location of Sign: #1740 YORK RD.
Remarks: Paul A. Tiburzi, Esq.
Posted by: Paul A. Tiburzi, Esq. Date of return: 9/23/96
Number of Signs: 1



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

October 15, 1996

Paul A. Tiburzi, Esquire
Piper & Marbury
36 South Charles Street
Baltimore, Maryland 21201

RE: PETITION FOR SPECIAL EXCEPTION
SW/Corner York & Ridgely Roads
(1740 York Road)
8th Election District - 4th Councilmanic District
Cloverland Farms Dairy, Inc. and Washington/Baltimore Cellular
Limited Partnership, d/b/a Cellular One - Petitioners
Case No. 97-102-X

Dear Mr. Tiburzi:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

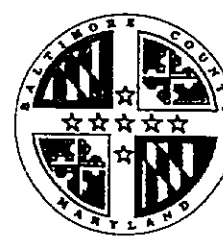
LES:bjs

cc: Mr. John Kemp, Vice President, Cloverland Farms Dairy, Inc.
2200 Monroe Street, Baltimore, Md. 21217

Ms. Irene Vogel, Washington/Baltimore Cellular L.P., Cellular One
7855 Walker Drive, Greenbelt, Md. 20770

Mr. Robert E. Morelock, Daft-McCune-Walker, Inc.
200 E. Pennsylvania Avenue, Towson, Md. 21286

People's Counsel; Case File



Petition for Special Exception to the Zoning Commissioner of Baltimore County

for the property located at 1740 York Road, Timonium, MD
97-102-X which is presently zoned BL-CDC

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for an automotive Service Garage use for installation of mobile telephones as a part of a Cellular One Customer Service Branch store pursuant to § 230.13

Property is to be posted and advertised as prescribed by Zoning Regulations. I or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Current Petitioner(s):
Washington/Baltimore Cellular Limited Partnership
d/b/a Cellular One
(Type or Print Name)

Signature: Irene Vogel
Address: 7855 Walker Drive
City: Greenbelt, MD 20770 State: MD Zipcode: 20770

Attorney for Petitioner:
Paul A. Tiburzi
Piper and Marbury, L.L.P.
(Type or Print Name)

Signature: Paul A. Tiburzi
Address: 36 South Charles Street (410) 576-1789
City: Baltimore, MD 21201 State: MD Zipcode: 21201

City: WASHINGTON NEW YORK
BALTIMORE EASTON
PHILADELPHIA

PAUL A. TIBURZI
PIPER & MARBURY
L.L.P.

36 SOUTH CHARLES STREET BALTIMORE, MARYLAND 21201-3018
410-576-1789 TIBURZI@PIPERMAR.COM FAX 410-576-2276

Legal Owner(s):
Cloverland Farms Dairy, Inc.
c/o Enfield Realty, Inc.
(Type or Print Name)

Signature: John Kemp
Address: 2200 Monroe Street (410) 669-2222
City: Baltimore, MD 21217 State: MD Zipcode: 21217

Attorney for Petitioner:
Robert E. Morelock, DMW, Inc.
(Type or Print Name)

Address: 200 East Penna. Ave., Towson, MD 21286
City: Baltimore, MD 21201 State: MD Zipcode: 21286

City: WASHINGTON NEW YORK
BALTIMORE EASTON
PHILADELPHIA

ROBERT E. MORELOCK
DMW, INC.

200 EAST PENNA. AVE. TOWSON, MD 21286
410-296-3333

ESTIMATED LENGTH OF HEARING: 15 minutes (for hearing)
the following date: 9/24/96 at 4:00 PM
ALL OTHERS: NONE
REVIEWED BY: SNT DATE: 9-3-96



Daft-McCune-Walker, Inc.
290 East Pennsylvania Avenue
Baltimore, Maryland 21201
(410) 296-3333
Fax: 296-4798

A Firm of Land Surveyors
Landscape Architects
Engineers - Surveyors
Environmental Professionals

Description: 97-102-X
to Accompany Petition for Special Exception
0.295 Acre Parcel
1740 York Road
Eighth Election District, Baltimore County, Maryland

Beginning for the same on the west side of York Road (80 feet wide) at the end of the second of the two following courses and distances measured from the point formed by the intersection of the centerline of Ridgely Road, 70 feet wide, with the centerline of survey of York Road (1) Southeasterly along the centerline of the traveled way for York Road 78 feet, more or less, thence at a right angle to York Road (2) Southwesterly 33 feet, more or less, to the point of the beginning, thence leaving said point of beginning and running and binding on said west side of York Road (1) South 20 degrees 14 minutes 52 seconds East 103.89 feet, thence leaving the west side of York Road and running the two following courses and distances, viz: (2) South 69 degrees 45 minutes 03 seconds West 100.00 feet, thence (3) North 20 degrees 14 minutes 57 seconds West 130.75 feet to a point on the south side of Ridgely Road, thence running and binding on the south side of Ridgely Road the two following courses and distances, viz: (4) North 64 degrees 28 minutes 03 seconds East 61.47 feet, and thence (5) South 70 degrees 16 minutes 33 seconds East 50.62 feet to the point of the beginning; containing 0.295 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE

August 30, 1996

Project No. 96071 (L66071)



CERTIFICATE OF PUBLICATION

TOWSON, MD, 9-19, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9-19, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Board of Appeals and Petitioners of Baltimore County will hold a public hearing on the following captioned matter at the Board of Appeals of the County of Baltimore, Maryland, at 11:00 A.M. on the 24th day of September, 1996, at the County Office Building, 1000 York Road, Towson, Maryland 21204 as follows:

Case: 97-102-X
Item: 103
1740 York Road
SW/Corner York and Ridgely Roads
8th Election District
Petitioner: CLOVERLAND FARMS DAIRY, INC.
Special Exception for an automotive service garage use for installation of mobile telephones.

Legal Owner(s):
Cloverland Farms Dairy, Inc.
Special Exception for an automotive service garage use for installation of mobile telephones.

Attorney for Petitioner:
Paul A. Tiburzi
Piper and Marbury, L.L.P.
(Type or Print Name)

Signature: Paul A. Tiburzi
Address: 36 South Charles Street (410) 576-1789
City: Baltimore, MD 21201 State: MD Zipcode: 21201

City: WASHINGTON NEW YORK
BALTIMORE EASTON
PHILADELPHIA

PAUL A. TIBURZI
PIPER & MARBURY
L.L.P.

36 SOUTH CHARLES STREET BALTIMORE, MARYLAND 21201-3018
410-576-1789 TIBURZI@PIPERMAR.COM FAX 410-576-2276

THE JEFFERSONIAN,
A. Henikson
LEGAL AD. - TOWSON

TO: POTTER PUBLISHING COMPANY
September 19, 1996 Issue - Jeffersonian
Please forward billing to:
Robert E. Morelock
D&W, Inc.
200 E. Pennsylvania Avenue
Towson, MD 21206
296-3333

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-102-X (Item 103)
1740 York Road
SWC York and Ridgely Road
8th Election District - 4th Councilmatic
Legal Owner(s): Cloverland Farms Dairy, Inc.

Special Exception for an automotive service garage use for installation of mobile telephones.

HEARING: WEDNESDAY, OCTOBER 9, 1996 at 9:00 a.m. in Room 106 County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 11, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-102-X (Item 103)
1740 York Road
SWC York and Ridgely Road
8th Election District - 4th Councilmatic
Legal Owner(s): Cloverland Farms Dairy, Inc.

Special Exception for an automotive service garage use for installation of mobile telephones.

HEARING: WEDNESDAY, OCTOBER 9, 1996 at 9:00 a.m. in Room 106 County Office Building.

Arnold Jablon
Director

cc: Cloverland Farms Dairy, Inc.
Washington/Baltimore Callahan Ltd. Part.
Paul A. Tiburzi, Esq.
Robert E. Morelock

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 2, 1996

Paul A. Tiburzi, Esquire
Pipes and Marbury, L.L.P.
36 South Charles Street
Baltimore, MD 21201

RE: Item No.: 103
Case No.: 97-102-X
Petitioner: Cloverland Farms Dairy

Dear Mr. Tiburzi:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 3, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management
FROM: Robert W. Bowling, Chief
Development Plans Review Division
SUBJECT: Zoning Advisory Committee Meeting
for September 16, 1996
Item No. 103

The Development Plans Review Division has reviewed the subject zoning item. If the existing landscaping is retained, a Landscape Plan will not be required.

RWB:HJO:jrb

cc: File

Z'NE26E

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM
FROM: Arnold F. "Pat" Keller, III, Director, OP
SUBJECT: 1740 York Road

INFORMATION:
Item Number: 103
Petitioner: Cloverland Farms Dairy, Inc.
Property Size: _____
Zoning: BL-CCC
Requested Action: _____
Hearing Date: 1/1

SUMMARY OF RECOMMENDATIONS:

The subject request, if granted, would result in the revitalization of a vacant commercial property.

The site is within the area of the Community Conservation Plan for Lutherville, adopted by the Baltimore County Council on February 20, 1996. The plan sets forth guidelines for enhancing the appearance of non-residential properties. The revitalization is in keeping with the plan provided the following comments are addressed.

1. A landscape plan should be submitted to the Office of Planning for review prior to approval by the County's Landscape Architect. The plan should incorporate street trees, as well as landscaping to enhance the building, driveway entrances, parking area and dumpster.
2. A sign detail for the free standing sign should be provided on the plan.

Prepared by: Jeffrey M. Long
Division Chief: Gary L. Kerns
AFK:JL:lw

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM
FROM: R. Bruce Seeley
Permits and Development Review
DEPRM
SUBJECT: Zoning Advisory Committee
Meeting Date: Sep 9, 96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 102 103
99 94
100
96
97

RBS:sp
BRUCEZ/DEPRM/TXTSBP



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 103 (JRA)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto MD/US 45 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief
Engineering Access Permits
Division

BS

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Roslyn Eubanks
PDM
FROM: Jeffrey Long
Planning Office
SUBJECT: ZAC
Please be advised that more time is needed to review the following petitions:
Item Nos. 103 & 104
Contact me on 887-3495 if you have any questions.

c: Gary Kerns
JL

ZAC1/PZONE/TXTJWL

700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880
DATE: 09/19/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: Cloverland Farms Dairy, Inc.
Location: SMC York and Ridgely RD. (1740 York RD.)

Item No.: 103 Zoning Agenda: Special Exception

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

RE: PETITION FOR SPECIAL EXCEPTION
1740 York Road, SMC York and Ridgely Rds
8th Election District, 4th Councilmanic
Legal Owner: Cloverland Farms Dairy, Inc.
Contract Purchaser/Lessee: Cellular One
Petitioners
BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 97-102-X

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

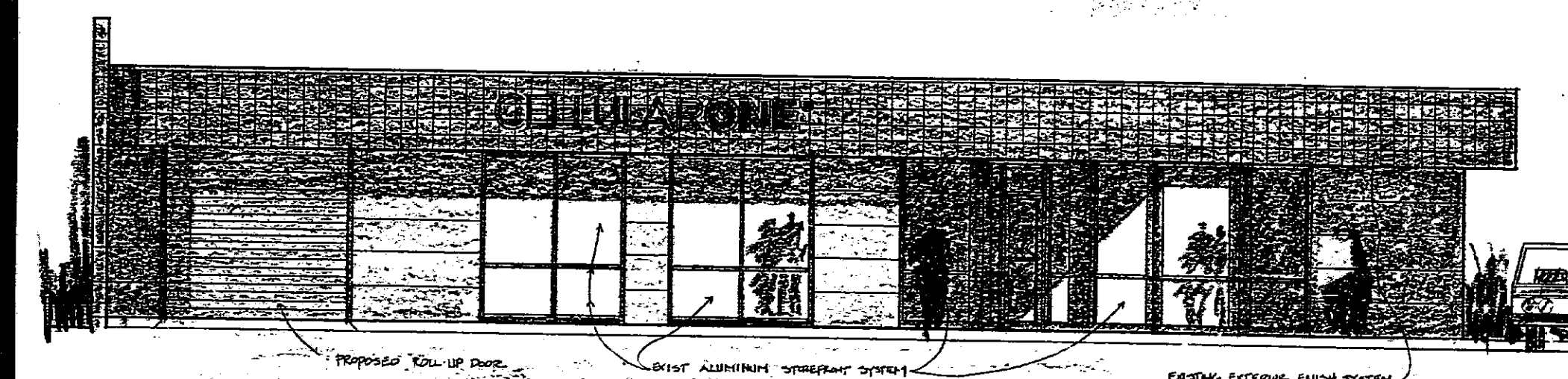
I HEREBY CERTIFY that on this 7th day of October, 1996, a copy of the foregoing Entry of Appearance was mailed to Paul A. Tiburzi, Esq., Piper and Marbury, 36 S. Charles Street, Baltimore, MD 21201, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

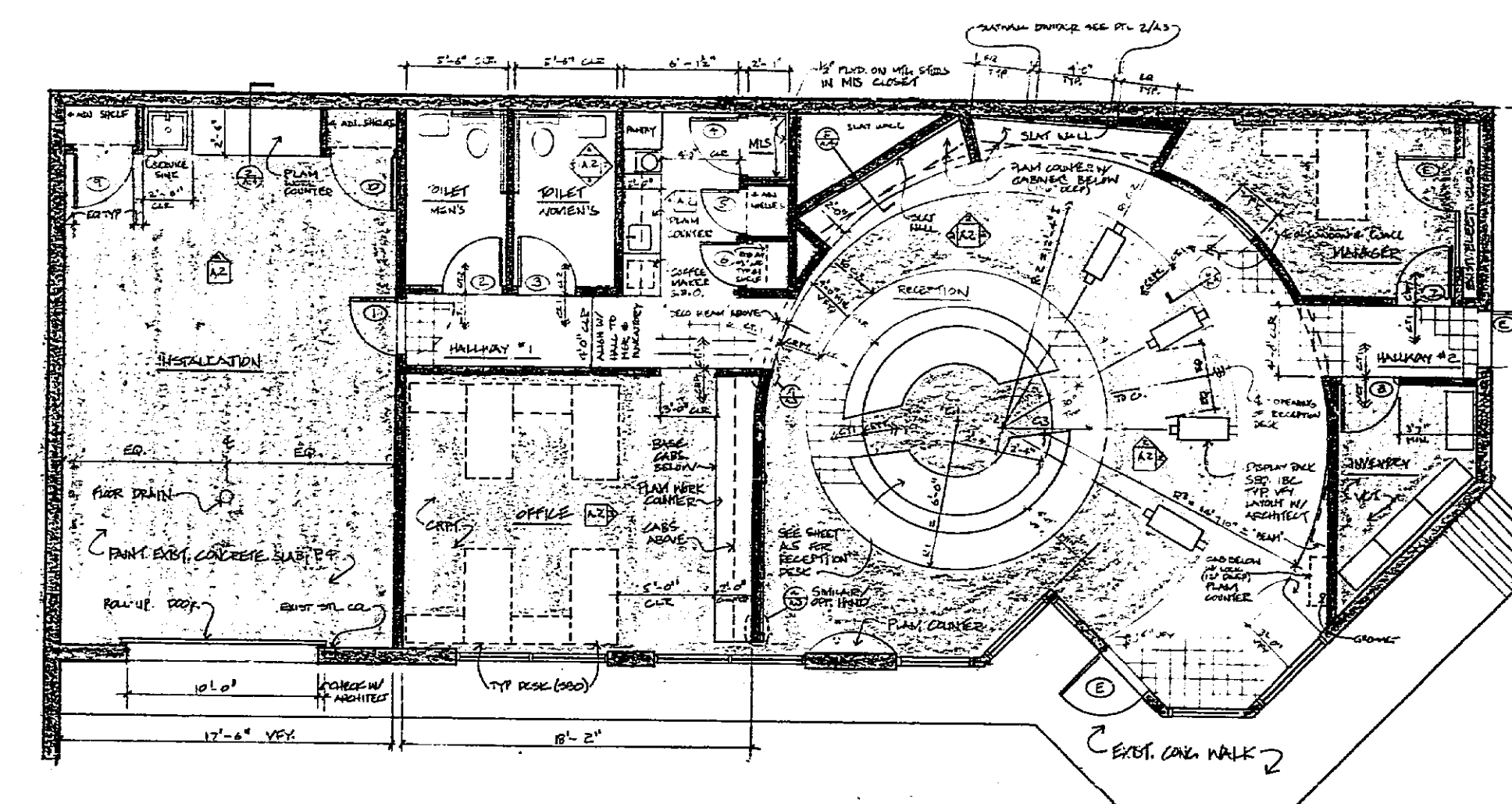
Petitioners
PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
PAUL TIBURZI, Attorney Cellular One	36 S. Charles St. Baltimore, Md. 21201
ROBERT MORELOCK	DMW, INC 200 E. PENNA AVE. TOWSON 21206
Alan Webb - Cellular One	2622 Lord Baltimore Dr. Woodlawn Md 21214
Sharon Sego	1855 Walker Dr Greenbelt MD 20770



CELLULAR ONE - TOWSON, MARYLAND - EAST ELEVATION
1/8" = 1'-0"
10.7.96

Ref. Ex. No. 2

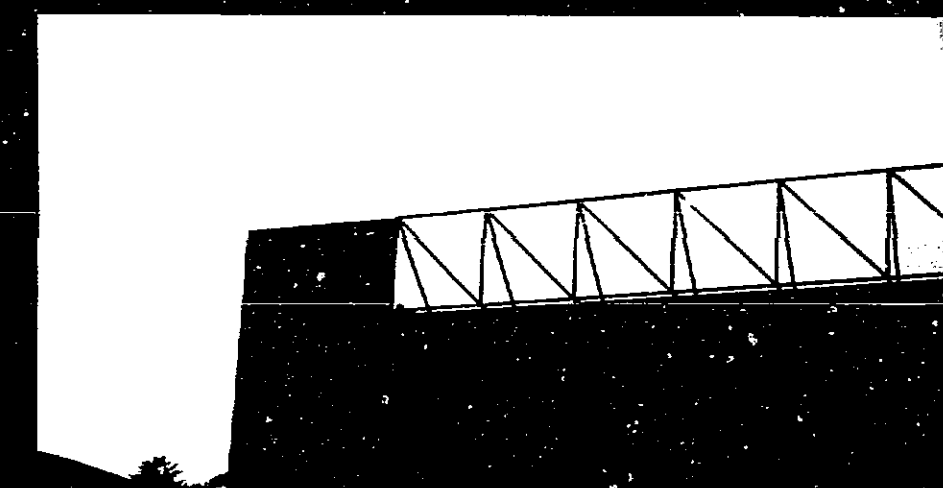
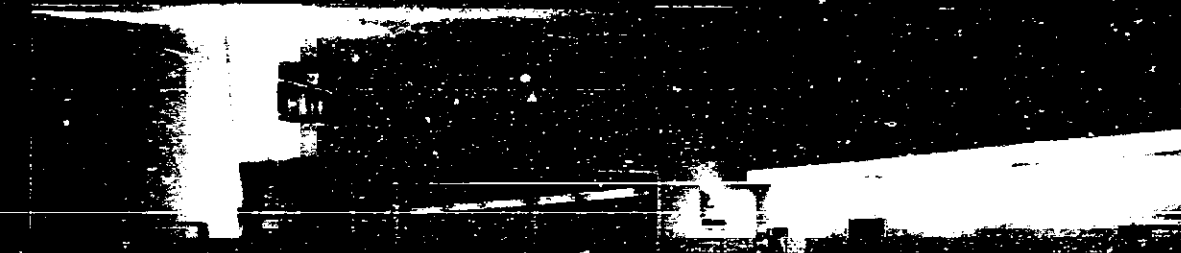
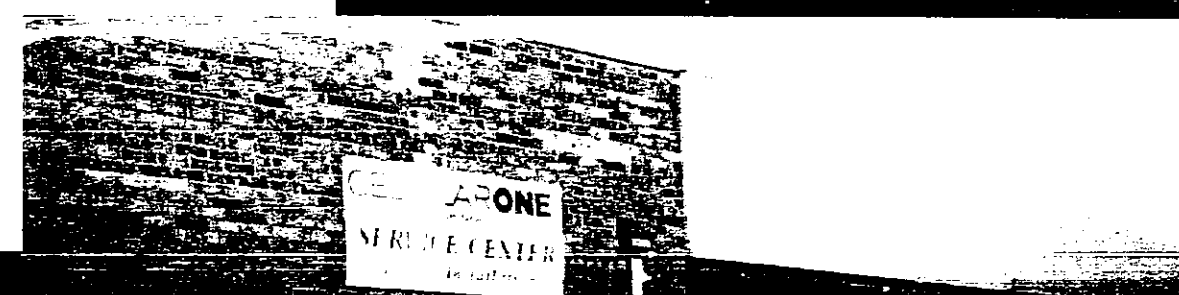


CELLULAR ONE - TOWSON, MARYLAND - FLOOR PLAN
1/8" = 1'-0"
10.7.96

Ref. Ex. No. 3

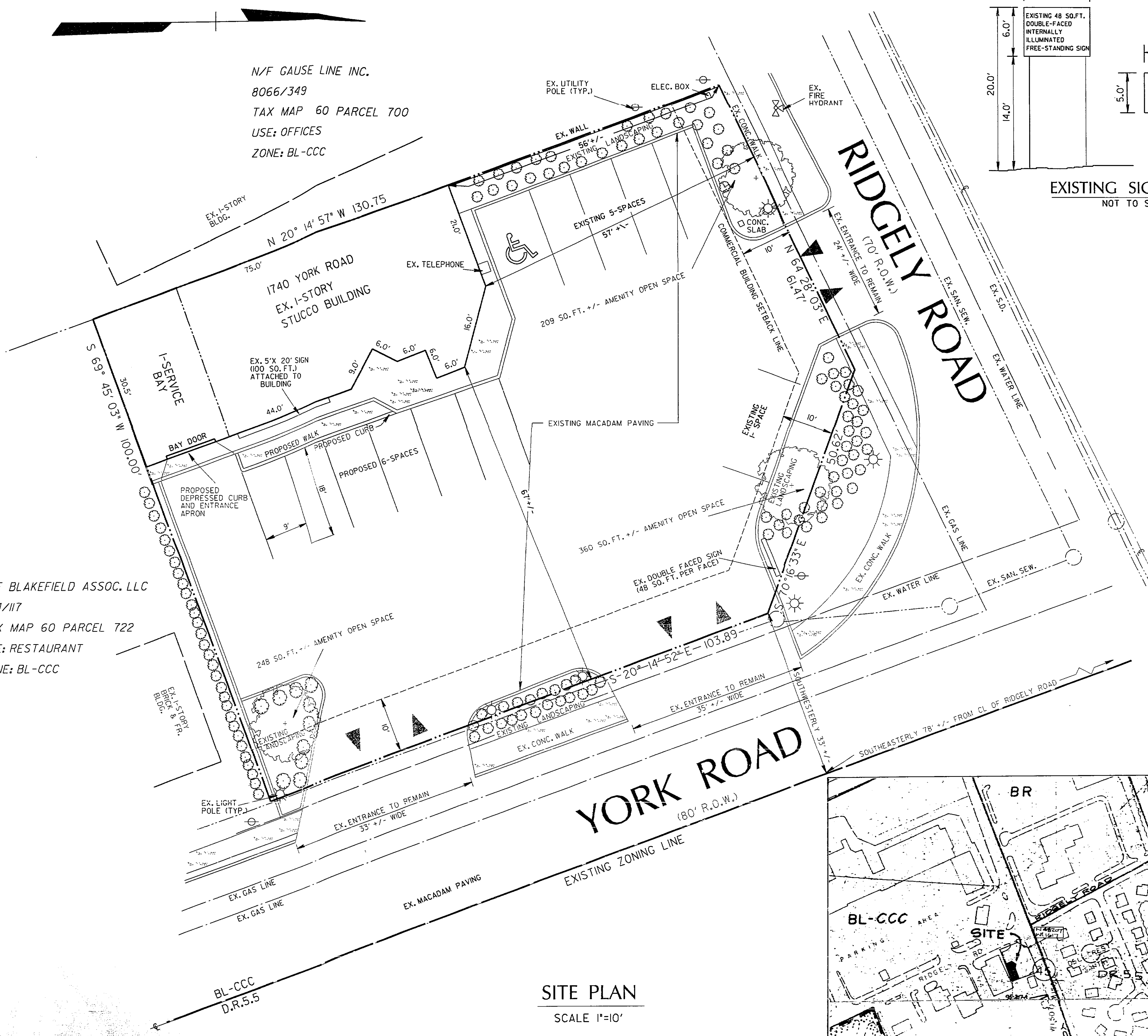


*Petitioners
Exhibits
4A-4D
photographs
97-102-X*

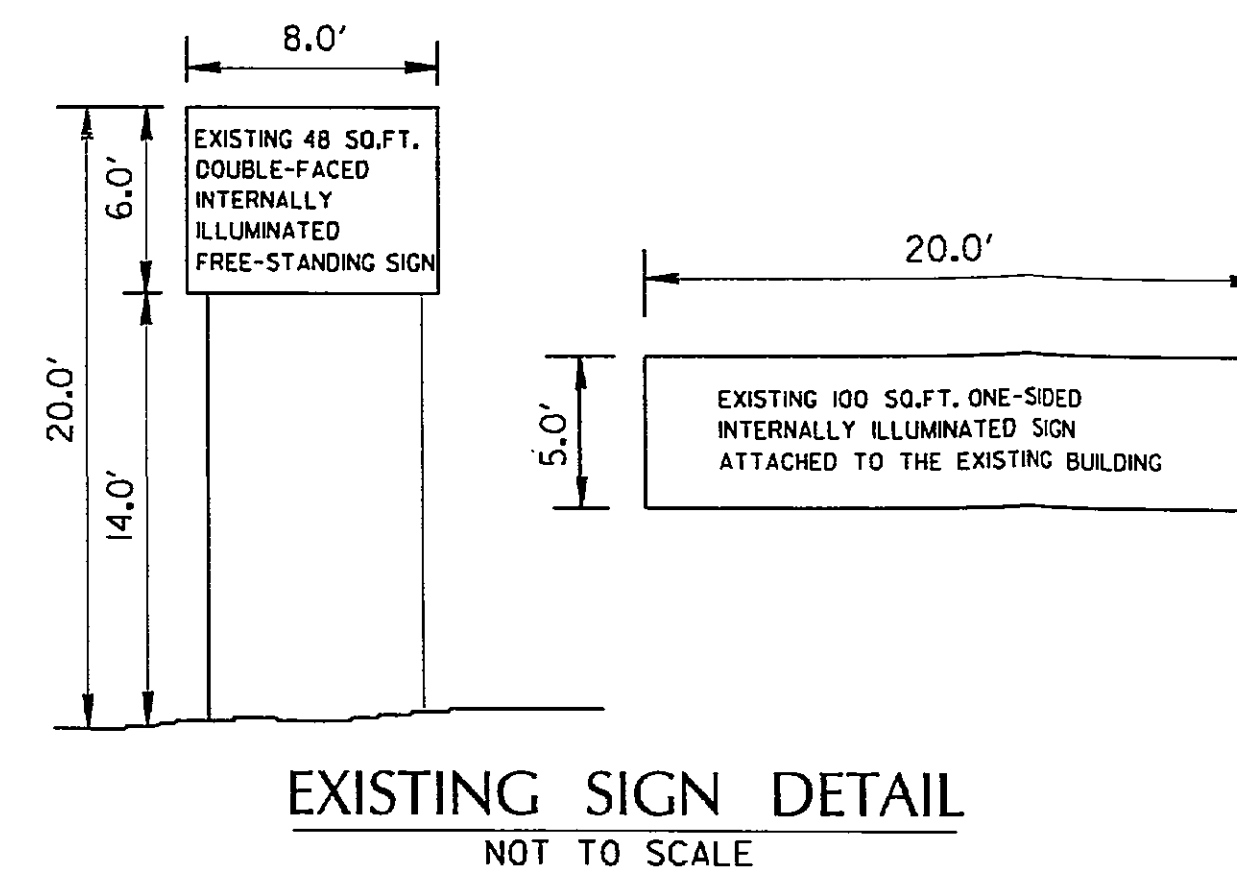


N/F GAUSE LINE INC.
8066/349
TAX MAP 60 PARCEL 700
USE: OFFICES
ZONE: BL-CCC

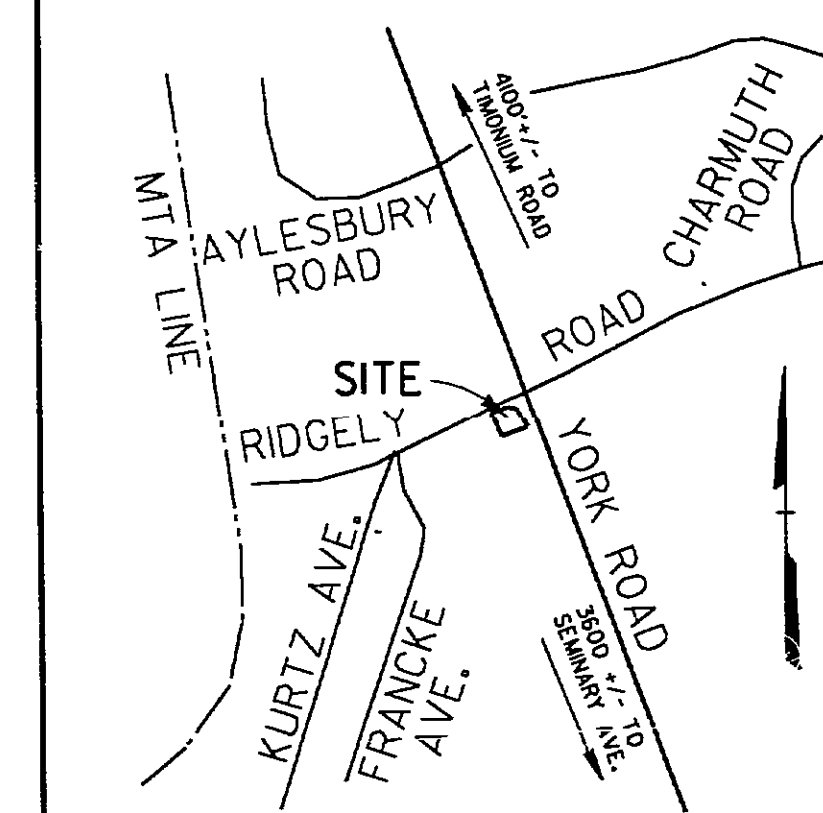
N/F BLAKEFIELD ASSOC. LLC
III44/II7
TAX MAP 60 PARCEL 722
USE: RESTAURANT
ZONE: BL-CCC



SITE PLAN
SCALE 1"=10'



EXISTING SIGN DETAIL
NOT TO SCALE



VICINITY MAP SCALE 1"= 1000'

NOTES:

- CURRENT OWNER AND STREET ADDRESS: ENFIELD REALTY, INC.
2200 N. MORTIMER ST.
BALTIMORE, MD. 21207
- CONTRACT LESSEE / APPLICANT: WASHINGTON/BALTIMORE CELLULAR LIMITED PARTNERSHIP
1/3 CELLULAR ONE
7855 WALKER AVE.
GREENBELT MD 20770
- SITE AREA: 0.295 AC. +/- OR 12,837 SQ. FT.
- EXISTING USE: VACANT RETAIL/BANK BUILDING
- SITE ADDRESS: 1740 YORK ROAD
TIMONIUM, MD 21093
- SITE DATA: TAX MAP 60, BLOCK 18, PARCEL 513
TAX ACCOUNT NO. 08-02-055554
ZONING: BL-CCC
ELECTION DISTRICT: 8
COUNTY: BALTIMORE DISTRICT: 4
LIBER 7453 FOLIO 832
- THE EXISTING BUILDING IS SERVED BY PUBLIC WATER AND SEWER. NO NEW OR ADDITIONAL WATER OR SANITARY UTILITIES ARE REQUIRED FOR THE PROPOSED RENOVATIONS.
- THE BOUNDARY INFORMATION AND LOCATION SHOWN HEREON HAVE BEEN COMPILED FROM DEEDS AND OTHER SOURCES BELIEVED TO BE RELIABLE. HOWEVER THEIR ACCURACY IS NOT GUARANTEED AND IS SUBJECT TO CHANGE.
- A 48 SQ. FT. (PER FACE) DOUBLE-FACED INTERNALLY ILLUMINATED FREE-STANDING SIGN, AND A 100 SQ. FT. ONE-SIDED INTERNALLY ILLUMINATED SIGN ATTACHED TO THE BUILDING EXIST ON THE SITE. THE PETITIONER PROPOSES TO REFACE THESE EXISTING SIGNS WITH CORPORATE LOGO AND TEXT. THERE ARE NO NEW SIGNS PROPOSED FOR THIS SITE.
- SETBACKS:

	REQUIRED	EXISTING TO BUILDING
FRONT:	10'	67' +/-
SIDE:	0'	0'
REAR:	0'	0'
- THE PROPOSED USE OF THE SITE WILL INVOLVE RENOVATION OF THE EXISTING BUILDING INTO A CELLULAR ONE CUSTOMER SERVICE BRANCH STORE WITH ONE SERVICE BAY FOR THE INSTALLATION OF CELLULAR TELEPHONE HARDWARE IN AUTOMOBILES.
- PARKING:

	REQUIRED	PROVIDED
1643 SQ. FT. RETAIL	5 SPACES/1000 SQ. FT.	8.2 SPACES
550 SQ. FT. SERVICE BAY	3.3 SPACES/1000 SQ. FT.	1.8 SPACES
TOTAL REQUIRED		10.0 SPACES
TOTAL PROVIDED		12.0 SPACES
- THIS SITE WAS PART OF A LARGER TRACT WHICH WAS THE SUBJECT OF ZONING CASE NO. 3307-RS, REQUESTING RECLASSIFICATION OF THE PROPERTY FROM 'A' RESIDENCE ZONE TO 'E' COMMERCIAL ZONE AND A SPECIAL PERMIT FOR A GASOLINE SERVICE STATION. THE REQUESTED RELIEF WAS GRANTED IN AN ORDER DATED MARCH 3, 1955 SUBJECT TO THE FOLLOWING CONDITION:
 THAT THE PROPOSED GASOLINE STATION AT THE SOUTHWEST CORNER OF YORK ROAD AND RIDGELY ROADS SHALL BE PLACED 100 FEET FROM YORK ROAD AND AS FAR SOUTH AS THE BUILDING RESTRICTIONS PERMIT, SO AS TO BE LOCATED ON THE SOUTHWEST CORNER OF THE LOT; THE BUILDING TO BE OF BRICK CONSTRUCTION AND OF THE SAME ARCHITECTURE AS THE OTHER BUILDINGS;
 AND TO HAVE TWO BAYS AND NOT THREE BAYS; THE PLAN FOR GASOLINE SERVICE STATION TO BE SUBJECT TO APPROVAL OF THE PROTESTANTS
 THE SITE WAS THE SUBJECT OF ZONING CASE NO. 83-157-XSPHA WHICH REQUESTED A SPECIAL HEARING TO AMEND THE SITE PLAN IN CASE NO. 3307-RS, A SPECIAL EXCEPTION FOR A FOOD STORE IN COMBINATION WITH A SERVICE STATION, AND A VARIANCE TO ALLOW LESS THAN THE REQUIRED SITE AREA. THE REQUESTED RELIEF WAS GRANTED IN ORDERS DATED MARCH 2, 1983 SUBJECT TO THE FOLLOWING RESTRICTIONS:
 COMPLIANCE WITH THE COMMENTS SUBMITTED BY THE DEPARTMENT OF HEALTH DATED 11/22/1982.
 APPROVAL OF THE FOREMENTIONED SITE PLAN BY THE MARYLAND DEPARTMENT OF TRANSPORTATION, THE DEPARTMENT OF PUBLIC WORKS, AND THE OFFICE OF PLANNING AND ZONING, INCLUDING A DETAILED LANDSCAPING PLAN REQUIRED FOR APPROVAL BY THE CURRENT PLANNING AND DEVELOPMENT DIVISION.

PREVIOUS COMMERCIAL PERMITS:

- 1222-82 ALTERATION
38-83 CHANGE OF OPERATION FROM A SERVICE STATION TO MINIMART
- FLOOR AREA RATIO:
PERMITTED = 4.0
PROPOSED = 2,193 SQ. FT. BLDG. / 12,837 SQ. FT. SITE = 0.17
- AMENITY OPEN SPACE:
MINIMUM PERMITTED = 0.2 X 2,193 SQ. FT. BLDG. = 439 SQ. FT.
PROPOSED = 0.37 (817 SQ. FT.)

ATTORNEY: PAUL A. TIBURZI
PIPER & MARBURY
36 SOUTH CHARLES STREET
BALTIMORE, MD 21201
(410) 576-1789

REQUESTED ZONING ACTION:
SPECIAL EXCEPTION PURSUANT TO BCZR SEC. 230.13 TO PERMIT A SERVICE GARAGE USE IN A BL-CCC ZONE.

DMW
Duff-McCune-Walker, Inc.
A Team of Land Planners,
Landscape Architects,
Engineers, Surveyors &
Environmental Professionals

200 East Pennsylvania Avenue
Towson, Maryland 21206
(410) 296-3333
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CELLULAR ONE
SITE PLAN TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION
TIMONIUM SITE
EIGHTH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

No.	Description	Date
REVISIONS		
Proj. No.	96071	
Date	8/5/96	
Scale	AS SHOWN	
Last Rev.		



Sheet

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